

EXHIBIT 63

№ 11602007703000015

ORDER

On institution and commencement
Of criminal proceedings

Moscow

February, 17th, 2016
06h30min

Senior investigator for especially important cases of the Main investigative department of Investigative Committee of the Russian Federation colonel of justice Novikov S.A., having studied a report of crime, set out in p.4 art. 160 of the Penal Code of the Russian Federation – crime incident report received from the Chairman of the Bank of Russia dated 01.10.2015 № 01-33-3/8573, registered in registration journal of reports of crimes of the Main investigative department of Investigative Committee of the Russian Federation № 201pr-184/15 dated 02.11.2015; report regarding discovery elements of crime of FSB Russia dated 18.01.2016, registered in registration journal of reports of crimes of the Main investigative department of Investigative Committee of the Russian Federation № 201pr-7/16 dated 22.01.2016; crime incident report received from the first deputy chairman of general director of State corporation “Deposit insurance agency” dated 14.01.2016 № 1-1/153 and materials of procedural audit,

ESTABLISHED:

Open joint stock company joint stock commercial bank “Probusinessbank”, abbreviated company name OAO AKB “Probusinessbank” (hereafter referred to as the Bank), legal address: 119285, Moscow, Pudovkina str., 3, actual address: Moscow, Petrovka str., 18/2, bld. 1, primary state registration number (OGRN) 1027700508978, founded and registered at the state registration book (KGR) of the Bank of Russia on 07.07.1993, correspondent account № 30101810600000000986 at the Main department of the Bank of Russia at the Central federal district (hereafter referred as GU Bank of Russia at CFO), Bank Identifier Code (BIC) 044525986, Taxpayer identification number (INN) 7729086087, general banking license dated 13.08.2012 № 2412 issued by the Bank of Russia.

According to art. 1 of the Federal law “About banks and bank activities” dated 02.12.1990 № 395-1 bank is a credit institution, which has exclusive right to perform altogether the following banking operations: attraction into deposits funds from individuals and legal entities, placement of mentioned funds on its behalf and for its own account under terms of repayment (refundability), availability against interest fee, maturity (urgency), opening and maintenance of banking accounts of individuals and legal entities.

In 2006 Financial group “Life” was founded based on the Bank, consisting of OAO “VUZ-bank” (INN 6608007473), OAO KB “Poidem!” (INN 5401122100), AO AKB “Express-Volga” (INN 6454027396), ZAO National Savings Bank (INN 3702558680), OAO “Gazenergobank” (INN 4026006420), OAO KB “Solidarnost” (INN 6316028910), OOO “Collection agency “Life” (INN 7707532186), factoring company “Life”, development company OOO “Probusiness-Development” (INN 7743629120), Cypriot company “Poidem Holdings Limited” (Republic of Cyprus) and other organizations.

Altogether Financial group “Life”, head organization of which was the Bank, had more than 800 branches in 75 regions of the Russian Federation, 4 000 000 individual customers and 200 000 customers legal entities, money, securities and other assets of which were entrusted for management with Financial group “Life” and its head organization the Bank.

From September 2014 up to August 2015 employees of GU Bank of Russia at CFO and Bank of Russia periodically performed audits of the Bank, in the course of performance of which there were discovered numerous violations in activities of the Bank. As a result of audit events GU Bank of Russia at CFO and Bank of Russia submitted repeatedly orders regarding elimination of violations.

In September 2014 but not later than 15.09.2014 in Moscow unidentified persons from management and employees of the Bank and Financial group "Life", having functions of organizational and management as well as of administrative and business nature, using their job positions, understanding and realizing that due to the repeated orders of GU Bank of Russia at CFO and Bank of Russia regarding elimination of violations by the Bank of legislation in banking sphere and executed by the Bank of Russia and executed by the Bank of Russia policy in the sphere of legal regulation of banking activities, regarding immediate revocation of banking license of the banks repeatedly violating legislation, banking license of the Bank under their management could be revoked, acting for financial gain, for their personal wealth accumulation developed plan of actions directed to the theft of funds of the Bank in an especially large amount by means of embezzlement and misappropriation for the benefit of third parties.

With this, unidentified persons from management and employees of the Bank, having functions of organizational and management as well as of administrative and business nature, using their job positions, engaged as performers and associates in the crime, subordinate to them employees of the Bank and Financial group "Life" informed of their criminal intention, directed to the embezzlement of funds of the Bank: vice-president for business development V.V. Kazantsev, head of corporate finances department Alekseev N.V., vice-president for finances – deputy chairman of management board of the Bank Lomov A.V., head of division for cooperation with shareholders and subsidiary companies Krylova M.V., head of department of non-performing loans, general director of OOO "Collection agency "Life" Kalachev S.V., as well as other unidentified persons from Bank employees, which in their turn engaged as associates of crime controlled by them directors of these enterprises, which did not perform any commercial or any operating activities: general director of OOO "Innovation and construction company "IvSpetsGarant" (INN 3702522719) Polikarpov I.P., general director of OOO "Engineering-Royalty" (INN 7718894100) Simakov A.V., General director of OOO "Vostok-Cargo-Plus" (INN 7728829090) Danukin A.V., general director of OOO "Tsentr trgovli" (Trading centre) (INN 7718872866) Spagina L.B., general director of OOO "NewHowTrade" (INN 7715825429) Kravchenko O.V., as well as persons from management and persons controlling OOO "Probusiness-Development" (INN 7743629120), OOO "Personal+" (INN 7724772597), OOO "ELSO" (INN 7703517821), OOO "Aliance" (INN 6671421093), OOO "Iston" (INN 7718902897), OOO "ProgmaTrade" (INN 7724757944), OOO "PK-Technologies" (INN 7722781123), OOO "Financial centre "Escada" (INN 7701377248), OOO "Sunris" (INN 7743061260), Cypriot company Vermenda Holdings Limited (INN 7729086087) and other unidentified legal entities and individuals.

General concept of crime commitment provided performance by associates (accomplices) of the crime of intended actions directed to the issuance to the controlled false organizations, which were not performing any actual business and economic activities of knowingly irreparable and non-returnable, not secured with any collateral property loans in an especially large amounts, transfer of credit funds to the operating accounts of false enterprises, opened with the Bank or any other bank, member of Financial group "Life", after that under the pretense of payment for fictitious transactions, acquisition of non-liquid securities and other fraudulent transactions, there was a transfer of funds to the accounts of controlled legal entities opened with the Bank or any other Bank, member of Financial group "Life".

Further on, stolen funds in rubles of the Russian Federation were exchanged in full amount into US dollars and were transferred to the operating account of controlled legal entity - non-resident company Vermenda Holdings Limited, registered at the following address: Griva Digeni, P.C. 3101, Limassol, Cyprus, opened with credit institution – non-resident Trasta Komerbanka Riga (Republic of Latvia) and afterwards they were transferred to the various accounts of unidentified foreign companies and individuals and were used by associates of the crime or by third parties, related to the associates of the crime under their discretion.

Documentary paperwork for loan issuance in order to give an appearance of legitimacy to performed transactions, formally has legitimate nature, however, in fact mentioned paperwork

contained unreliable and inaccurate information, and all actions of participants in a crime were directed to the achievement of criminal intention of embezzlement of funds in an especially large amount from the Bank.

Thus, within the period preceding 15.09.2014 in Moscow vice-president for corporate business development of the Bank Kazantsev V.V. acting on behalf of the Bank in accordance with the power of attorney № 610/1 dated 16.07.2014 given by the chairman of management board of the Bank Zheleznyak A.D., according to which management of the Bank delegated him the authorities to conclude loan agreements and to manage funds of the Bank, namely management functions of administrative and business nature to manage entrusted with him funds of the Bank, acting with intention and in coordination with other participants in a crime in order to embezzle and misappropriate funds signed on behalf of the Bank knowingly unenforceable Agreement regarding the terms of medium term loan dated 15.09.2014 № 211-810/14u with controlled unidentified participant in a crime ООО "Innovation and construction company "IvSpetsGarant" (hereafter referred to as ООО "ISK "IvSpetsGarant") represented by the general director of the company Polikarpov I.P., according to which the Bank was obliged to give to the mentioned company knowingly irreparable loan in the amount of 500 000 000 rubles.

With this, Polikarpov I.P., contributing to the crime commitment by submitting information and elimination of obstructions for its commitment realized that the company, which he was the head of, did not perform any business and economic activities, the purpose of the loan was knowingly false and receipt of the loan was a way of embezzlement funds from the Bank for financial gain signed on behalf of the company abovementioned Agreement about the terms of medium term loan dated 15.09.2014 № 211-810/14u.

On 15.09.2014 for the purposes of abovementioned Agreement according to the request form provided on behalf of Polikarpov I.P., with bank transfer order № 1018062751 dated 15.09.2014 funds in the amount of 280 000 000 rubles were transferred from the correspondent account of the Bank 3010181060000000986, opened with operating division of GU Bank of Russia at CFO of Moscow, located at the following address: Moscow, Balchug str., 2 to the operating account of ООО «ISK «IvSpetsGarant» № 45207810600000127604, opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1.

15.09.2014 after receipt of funds to the operating account of ООО "ISK "IvSpetsGarant", Polikarpov I.P. continuing to play his role in crime commitment, contributing to its commitment by providing information and eliminating obstructions transferred funds received as a loan from the Bank in the amount of 280 000 000 rubles with several payments among other funds:

- by bank transfer orders №№ 751, 752, 763, 764 dated 15.09.2014 to the operating account of participant in a crime false enterprise ООО "Personal+" № 40702810300000102610, opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld. 1 for the total amount of 24 157 808,21 rubles;

- by bank transfer orders №№ 747, 748, 749, 750, 757, 758, 759, 760, 761, 762 dated 15.09.2014 to the operating accounts of controlled by participants in a crime ООО "Collection agency "Life", the head of which was a partner in a crime Kalachev S.V., № 40702810300110117621 opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1 for the total amount of 34 471 698,53 rubles.

- by bank transfer orders №№ 765, 766 dated 15.09.2014 to the operating account of controlled by participants in a crime ООО «Probusiness-Development» № 40702810300000021377 opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1, for the total amount of 222 016 835,04 rubles.

On 16.09.2014, i.e. the next day after the transfer of Bank funds to the operating account of ООО "Personal+", unidentified participants in a crime, having access to account management of abovementioned company, continuing with intended actions directed to the embezzlement of funds in an especially large amount, transferred these funds among other funds from operating account of ООО "Personal+":

- by bank transfer order № 133 dated 16.09.2014 to the operating account of controlled by participants in a crime ООО "Collection agency "Life", the head of which was partner in a crime Kalachev S.V., № 40702810300110117621, opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 499 500 000,00 rubles.

Also, on 16.09.2014, i.e. the next day after the transfer of funds of the Bank to the operating account of ООО "Probusiness-Development", unidentified participants in a crime, having access to account management of abovementioned company, continuing with intended actions, directed to the embezzlement of funds in an especially large amount, transferred these funds among other funds from the operating account of ООО "Probusiness-Development":

- by bank transfer order № 123 dated 16.09.2014 to the operating account of controlled by participants in a crime ООО "ELSO", № 40702810800020115239, opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 222 016 835,04 rubles.

Afterwards, on 16.09.2014, i.e. the same day after transfer of funds of the Bank to the operating account of ООО "Probusiness-Development", and afterwards to the operating account of ООО "ELSO", unidentified participants in a crime having access to the account management of abovementioned company, continuing with intended actions directed to the embezzlement of funds in an especially large amount transferred these funds among other funds from the operating account of ООО "ELSO":

- by bank transfer order № 321 dated 16.09.2014 to the operating account of controlled by participants in a crime ООО "Collection agency "Life", the head of which was partner in a crime Kalachev S.V., № 40702810300110117621, opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 221 000 000,00 rubles.

Thus, funds, stolen from the Bank under the pretense of issuance of knowingly irreparable loans in the amount of 280 000 000,00 rubles among other funds accumulated at the operating account of controlled by participants in a crime ООО "Collection agency "Life", the head of which was partner in a crime Kalachev S.V.

After that on 16.09.2014, i.e. the same date after transfer of stolen from the Bank funds to the operating account of ООО "Collection agency "Life", general director of abovementioned company Kalachev S.V., contributing to the commitment of crime by provision of information and elimination of obstructions for its commitment, realizing criminality of his actions, continuing to perform according to his role instructions of unidentified persons, directed to the embezzlement of funds of the Bank in an especially large amount transferred funds stolen from the Bank among other funds:

- by bank transfer order № 1563 dated 16.09.2014 to the operating account of controlled by participants in a crime company-non-resident Vermenda Holdings Limited, № 40807810900010030608, opened with the Bank, located at the address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 608 000 000,00 rubles.

Further on, on 18.09.2014, after transfer of funds stolen from the Bank to the operating account of controlled by participants in a crime company-non-resident Vermenda Holdings Limited, unidentified persons having access to account management of abovementioned company-non-resident, which continued to perform according to their role instructions of unidentified persons directed to the embezzlement of funds from the Bank in an especially large amount exchanged funds, stolen from the Bank in the amount of 280 000 000,00 rubles among other funds in the amount of 578 655 792,00 rubles into US dollars and simultaneously credited them into currency account of company-non-resident Vermenda Holdings Limited № 40807840200010030608, opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 15 080 000,00 US dollars.

Afterwards, exchanged into US dollars, funds stolen from the Bank in the amount of 280 000 000 rubles among other funds unidentified participants in a crime were transferred from the currency account of company-non-resident Vermenda Holdings Limited № 40807840200010030608 opened with the Bank:

- by bank transfer order № 217 dated 18.09.2014 to the currency account of controlled participants in a crime of company-no-resident Vermenda Holdings Limited № LV63KBRB1111215921001 opened with credit institution non-resident Trasta Komerbanka Riga (republic of Latvia) located at the following address: Palasta iela 1, Riga LV-1050, Latvija in the amount of 13 000 000,00 US dollars.

Afterwards, funds stolen from the Bank in the amount of 280 000 000 rubles among other funds were exchanged into US dollars, were obtained cash or transferred to unidentified accounts in unidentified banking or other credit institutions, unidentified individuals and legal entities and were used by unidentified masterminds and participants in a crime under their own discretion.

Also within the period preceding 09.04.2015 in Moscow continue implementing criminal intention directed to the embezzlement of funds of the bank in an especially large amount participant in a crime – head of department of corporate finances of the Bank Alekseev N.V., acting on behalf of the Bank under power of attorney № 120/2 dated 17.02.2015, given by chairman of management board of the Bank Zheleznyak A.D., according to which management of the Bank delegated authorities to conclude loan agreements and management of funds of the Bank, namely management functions of administrative and business nature to manage entrusted with him funds of the Bank, acting with intention and in cooperation with other participants in a crime signed on behalf of the Bank knowingly unenforceable Agreement regarding terms of medium term loan dated 09.04.2015 № 044-810/15u with controlled by participant in a crime – head of division for cooperation with shareholders and subsidiary companies of the Bank Krylova M.V. false enterprise ООО “Engineering-Royalty” represented by general director of the company Simakov A.V., which was also an employee of the Bank, according to which the Bank was obliged to provide to mentioned company a loan as part of opened credit lines with maximum amount of debt limit in the amount of 1 000 000 000 rubles.

With this, Krylova M.V. and Simakov A.V. contributing to crime commitment by provision of information and elimination of obstructions of its commitment, realized that ООО “Engineering-Royalty” did not perform any business and economic activities, the purpose of the loan was knowingly false and loan issuance was a way for embezzlement of funds of the Bank for a financial gain, manufactured and signed on behalf of the company abovementioned Agreement about terms of medium term loan dated 09.04.2015 № 044-810/15u.

09.04.2015 in accordance with abovementioned Agreement according to the submitted request on behalf of Simakov A.V. under instructions of Krylova M.V. by bank transfer order № 1019700947 dated 09.04.2015 funds in the amount of 600 000 000 rubles were transferred from correspondent account of the Bank № 30101810600000000986 opened with operating division of GU Bank of Russia at CFO in Moscow located at the following address: Moscow, Balchug str., 2 to the operating account of ООО “Engineering-Royalty” № 40702810900110035572, opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1.

The same day, i.e. 09.04.2015 after funds were credited to the operating account of ООО “Engineering-Royalty” Simakov A.V., who continued playing his role in crime commitment and performing illegal instructions of Krylova M.V., contributing to its commitment by providing information and eliminating obstructions, transferred funds received as a loan from the Bank in the amount of 600 000 000 rubles by bank transfer order № 22 dated 09.04.2015 to the operating account of controlled by participants in a crime false enterprise ООО “Aliance” № 40702810500000113328, opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1.

Afterwards, 09.04.2015, i.e. the same day after transfer of funds of the Bank to the operating account of OOO "Aliance" unidentified participants in a crime having access to account management of abovementioned company, continuing with intended actions directed to the embezzlement of funds in an especially large amount, transferred these funds from the operating account of OOO "Aliance":

- by bank transfer order № 33 dated 09.04.2015 to the operating account controlled by participants in a crime OOO "Personal+" № 40702810300000102610 opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 600 000 000,00 rubles.

Further on, 09.04.2015, i.e. the same day after funds stolen from the Bank were credited to the operating account of OOO "Personal+" unidentified participants in a crime having access to account management of abovementioned company continuing with intended actions directed to embezzlement of funds in an especially large amount transferred these funds from operating account of OOO "Personal+":

- by bank transfer order № 144 dated 09.04.2015 to the operating account of controlled by participants in a crime company-non-resident Vermenda Holdings Limited № 40807810900010030608 opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 600 000 000,00 rubles.

Afterwards, 09.04.2015 and 13.04.2015, after stolen from the Bank funds were credited to the operating account of controlled by participants in a crime company-non-resident Vermenda Holdings Limited unidentified persons, which continued fulfilling according to their role instructions of unidentified persons directed to the embezzlement of funds of the Bank in an especially large amount exchanged stolen from the Bank funds in the amount of 600 000 000,00 rubles among other funds in the amount of 600 069 891,60 rubles to US dollars, which were simultaneously credited to the currency account of company non-resident Vermenda Holdings Limited № 40807840200010030608, opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1, in the amount of 11 182 000,00 US dollars.

After that funds stolen from the Bank in the amount of 600 000 000,00 rubles and exchanged into US dollars among other funds by unidentified participants in a crime were transferred from the currency account of company non-resident Vermenda Holdings Limited № 40807840200010030608 opened with the Bank:

- by bank transfer order № 271 dated 09.04.2015 and № 275 dated 17.04.2015 to the currency account of controlled by participants in a crime company non-resident Vermenda Holdings Limited № LV63KBRB1111215921001 opened with credit institution non-resident Trasta Komerbanka Riga (Republic of Latvia), located at the following address: Palasta iela 1, Riga LV-1050, Latvija in the amount of 12 110 000,00 US dollars.

Afterwards, funds stolen from the Bank in the amount of 600 000 000 rubles among other funds exchanged to US dollars were obtained cash or transferred to unidentified accounts with unidentified banking and other institutions, unidentified individual and legal entities and were used by unidentified masterminds and participants in a crime under their discretion.

Also within the period preceding 15.05.2015 in Moscow while continuing implementing criminal intention directed to the embezzlement of funds of the Bank in an especially large amount participant in a crime – head of department for corporate finances of the Bank Alekseev N.V., acting on behalf of the Bank under power of attorney № 120/2 dated 17.02.2015 given by chairman of management board of the Bank Zheleznyak A.D., according to which management of the Bank delegated to him authorities to conclude loan agreements and management of funds of the Bank, namely management functions of administrative and business nature to manage entrusted with him funds of the Bank, acting with intention and in cooperation with other participants in a crime signed on behalf of the Bank knowingly unenforceable Agreement regarding terms of medium term loan dated 15.04.2015 № 071-810/15u with controlled by

unidentified participants in a crime false enterprise OOO "Vostok-Cargo-Plus" represented by general director of the company Danukin A.V., according to which the Bank was obliged to provide to mentioned company a knowingly irreparable loan as part of opened credit lines with maximum amount of debt limit in the amount of 500 000 000 rubles.

With this, Danukin A.V., contributing to crime commitment by providing information and eliminating obstructions for its commitment realized that the company, which he was the head of, did not perform any business and economic activities, the purpose of the loan was knowingly false and receipt of the loan was a way of embezzlement funds from the Bank for financial gain, signed on behalf of the company abovementioned Agreement about the terms of medium term loan dated 15.05.2015 № 071-810/15u.

18.05.2015 and 19.05.2015 for the purposes of abovementioned Agreement according to the request form provided on behalf of Danukin A.V., with bank transfer orders № 1019906802 dated 18.05.2015 and № 1019915598 dated 19.05.2015 funds in the amount of 365 000 000 rubles were transferred from the correspondent account of the Bank 30101810600000000986, opened with operating division of GU Bank of Russia at CFO of Moscow, located at the following address: Moscow, Balchug str., 2 to the operating account of OOO «Vostok-Cargo-Plus» № 40702810700000107477, opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1.

18.05.2015 and 19.05.2015 after funds were credited to the operating account of OOO "Vostok-Cargo-Plus" Danukin A.V. continued to fulfill his role in crime commitment contributing to its commitment by providing information and eliminating obstructions transferred funds received as a loan from the Bank in the amount of 365 000 000 rubles in several payments:

- by bank transfer orders № 1054 dated 18.05.2015, № 1057 dated 19.05.2015 to the operating account of controlled by participants in a crime false enterprise OOO "Iston" № 40702810900000100889 opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 365 000 000 rubles.

Later on part of funds stolen from the Bank in the amount of 300 000 rubles by unidentified persons from participants in a crime was transferred to the operating accounts of dozens of various controlled by participants in a crime legal entities and was used by them under their discretion.

18.05.2015 and 19.05.2015 after funds of the Bank were transferred to the operating account of OOO "Iston", unidentified participants in a crime having access to account management of abovementioned company continued with intended actions directed to the embezzlement of funds of the Bank in an especially large amount transferred part of funds stolen from the Bank from operating account of OOO "Iston":

- by bank transfer orders № 39 dated 18.05.2015, № 40 dated 19.05.2015 to the operating account of controlled by participants in a crime OOO "ELSO" № 40702810800020115239 opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1, in the amount of 364 700 000,00 rubles.

Later on part of funds stolen from the Bank in the amount of 17 700 000 rubles by unidentified persons from participants in a crime was transferred to the operating accounts of dozens of various controlled by participants in a crime legal entities and were used under their discretion.

18.05.2015 after stolen from the Bank funds were credited to the operating account of OOO "ELSO" unidentified participants in a crime having access to account management of abovementioned company continuing with intended actions directed to the embezzlement of funds in an especially large amount transferred funds from operating account of OOO "ELSO":

- by bank transfer orders № 199 dated 18.05.2015 and № 120 dated 19.05.2015 to the operating account of controlled by participants in a crime company-non-resident Vermenda Holdings Limited № 40807810900010030608 opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 347 000 000,00 rubles.

Afterwards, part of funds stolen from the Bank in the amount of 41 655 rubles by unidentified persons from participants in a crime was transferred to the operating accounts of dozens of various controlled by participants in a crime legal entities and were used under their discretion.

After that 18.05.2015 and 19.05.2015, after stolen from the Bank funds were credited to the operating account of controlled by participants in a crime company-non-resident Vermenda Holdings Limited unidentified persons, having access to account management of abovementioned company non-resident, which continued fulfilling according to their role instructions of unidentified persons directed to the embezzlement of funds of the Bank in an especially large amount exchanged part of stolen from the Bank funds in the amount of 346 958 345,00 rubles to US dollars, which were simultaneously credited to the currency account of company non-resident Vermenda Holdings Limited № 40807840200010030608, opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1, in the amount of 7 014 000,00 US dollars.

After that funds stolen from the Bank in the amount of 346 958 345,00 rubles and exchanged into US dollars by unidentified participants in a crime were transferred from the currency account of company non-resident Vermenda Holdings Limited № 40807840200010030608 opened with the Bank:

- by bank transfer order № 278 dated 18.05.2015 and № 139 dated 19.05.2015 to the currency account of controlled by participants in a crime company non-resident Vermenda Holdings Limited № LV63KBRB1111215921001 opened with credit institution non-resident Trasta Komercbanka Riga (Republic of Latvia), located at the following address: Palasta iela 1, Riga LV-1050, Latvija in the amount of 7 600 000,00 US dollars.

Afterwards, funds stolen from the Bank in the amount of 346 958 345 rubles exchanged to US dollars were obtained cash or transferred to unidentified accounts with unidentified banking and other institutions, unidentified individual and legal entities and were used by unidentified masterminds and participants in a crime under their discretion.

Thus, participants in a crime have stolen funds of the Bank in the amount of 365 000 000 rubles, which they or third persons used under their own discretion.

Afterwards, on 06.08.2015 at the date of banking license revocation of the Bank, co-associates of the crime – vice-president for finances – deputy chairman of management board of the Bank Lomov A.V. and general director of OOO “Vostok-Cargo-Plus” Danukin A.V. in order to conceal committed embezzlement of funds of the Bank in an especially large amount and to give a veneer of legality to executed fictitious transaction concluded settlement agreement dated 06.08.2015, according to which liabilities of OOO “Vostok-Cargo-Plus” under Agreement about terms of medium term loan dated 15.05.2015 № 071-810/15u were terminated and as a performer of liabilities to repay loan funds, Bank accepted right of claim to controlled by participants in a crime OOO “Iston”, which did not perform any actual business and economic activities.

Also within the period preceding 28.07.2015 in Moscow while continuing implementing criminal intention directed to the embezzlement of funds of the Bank in an especially large amount participant in a crime – head of department for corporate finances of the Bank Alekseev N.V., acting on behalf of the Bank under power of attorney № 120/2 dated 17.02.2015 given by chairman of management board of the Bank Zheleznyak A.D., according to which management of the Bank delegated to him authorities to conclude loan agreements and management of funds of the Bank, namely management functions of administrative and business nature to manage entrusted with him funds of the Bank, acting with intention and in cooperation with other participants in a crime signed on behalf of the Bank knowingly unenforceable Agreement regarding terms of medium term loan dated 28.07.2015 № 137-810/15u with controlled by participants in a crime OOO “NewHowTrade” represented by general director of the company Kravchenko O.V., according to which the Bank was obliged to provide to mentioned company a

loan as part of opened credit lines with maximum amount of debt limit in the amount of 1 000 000 000 rubles.

With this, Kravchenko O.V., contributing to crime commitment by providing information and eliminating obstructions for its commitment realized that the company, which she was the head of, did not perform any business and economic activities, the purpose of the loan was knowingly false and receipt of the loan was a way of embezzlement funds from the Bank for financial gain, signed on behalf of the company abovementioned Agreement about the terms of medium term loan dated 28.07.2015 № 137-810/15u.

28.07.2015 for the purposes of abovementioned Agreement according to the request form provided on behalf of Kravchenko O.V., with bank transfer orders № 1020346334 dated 28.07.2015 funds in the amount of 499 995 968 rubles were transferred from the correspondent account of the Bank 30101810600000000986, opened with operating division of GU Bank of Russia at CFO of Moscow, located at the following address: Moscow, Balchug str., 2 to the operating account of OOO «NewHowTrade» № 40702810000000207734, opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1.

28.07.2015 after funds were credited to the operating account of OOO «NewHowTrade» Kravchenko O.V. continued to fulfill her role in crime commitment contributing to its commitment by providing information and eliminating obstructions transferred funds received as a loan from the Bank in the amount of 499 995 968 rubles:

- by bank transfer orders № 9 dated 28.07.2015 to the operating account of controlled by participants in a crime false enterprise OOO «Financial centre «Escada» № 40702810800000210934 opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1.

28.07.2015 after stolen from the Bank funds were credited to the operating account of OOO «Financial centre «Escada» unidentified participants in a crime having access to account management of abovementioned company continuing with intended actions directed to the embezzlement of funds in an especially large amount transferred these funds from operating account of OOO «Financial centre «Escada»:

- by bank transfer order № 35 dated 28.07.2015 to the operating account of controlled by participants in a crime OOO «Sunris» № 40702810500070015537 opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1, in the amount of 499 995 968,00 rubles.

Later on, part of funds in the amount of 1 124 939,97 rubles stolen from the Bank by unidentified persons from participants in a crime was transferred from operating account of OOO «Sunris» to the operating accounts of dozens of various controlled by participants in a crime legal entities and was used by them under their own discretion.

Afterwards, on 29.07.2015, i.e. the next day, after transfer of funds of the Bank to the operating account of OOO «NewHowTrade» and later on to the operating account of OOO «Financial centre «Escada» and to the operating account of OOO «Sunris», unidentified participants in a crime having access to the account management continuing with intended actions directed to the embezzlement of funds in an especially large amount transferred funds from operating account of OOO «Sunris»:

- by bank transfer orders №№ 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56 dated 29.07.2015 to the operating account of controlled by participants in a crime OOO «Collection agency «Life», the head of which was partner in a crime Kalachev S.V., № 40702810300110117621, opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 498 871 028,03 rubles.

Thus, part of funds stolen from the Bank in the pretense of issuance of knowingly irreparable loan in the amount of 498 871 028,03 rubles accumulated at the operating account of controlled by participants in a crime OOO «Collection agency «Life», the head of which was a partner in crime Kalachev S.V.

Afterwards, on 29.07.2015 and 30.07.2015, after stole from the Bank funds were credited to the operating account of OOO "Collection agency "Life", general director of mentioned company Kalachev S.V. contributing to crime commitment by providing information and eliminating obstructions realizing criminality of his actions continuing to fulfill according to his role instructions of unidentified persons, which were directed to the embezzlement of funds of the Bank in an especially large amount, transferred funds stolen from the Bank among other funds:

- by bank transfer orders № 1372 dated 29.07.2015, № 1373 dated 29.07.2015, № 1374 dated 29.07.2015, № 1426 dated 30.07.2015 to the operating account of controlled by by participants in a crime company-non-resident Vermenda Holdings Limited № 40807810900010030608 opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 600 000 000,00 rubles.

Further on, on 30.07.2015 after stolen from the Bank funds were credited to the operating account of controlled by participants in a crime company-non-resident Vermenda Holdings Limited unidentified persons, having access to account management of abovementioned company non-resident, which continued fulfilling according to their role instructions of unidentified persons directed to the embezzlement of funds of the Bank in an especially large amount exchanged stolen from the Bank funds in the amount of 498 871 028,03 rubles among other funds in the amount of 598 561 497,50 rubles to US dollars, which were simultaneously credited to the currency account of company non-resident Vermenda Holdings Limited № 40807840200010030608, opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1, in the amount of 10 015 000,00 US dollars.

After that funds stolen from the Bank in the amount of 498 871 028,03 rubles and exchanged into US dollars were transferred by unidentified participants in a crime from the currency account of company non-resident Vermenda Holdings Limited № 40807840200010030608 opened with the Bank:

- by bank transfer order №№ 2906 291 dated 30.07.2015 to the currency account of controlled by participants in a crime company non-resident Vermenda Holdings Limited № LV63KBRB1111215921001 opened with credit institution non-resident Trasta Komercbanka Riga (Republic of Latvia), located at the following address: Palasta iela 1, Riga LV-1050, Latvija in the amount of 10 000 000,00 US dollars.

Afterwards, funds stolen from the Bank in the amount of 498 871 028,03 rubles among other funds exchanged to US dollars were obtained cash or transferred to unidentified accounts with unidentified banking and other institutions, of unidentified individuals and legal entities and were used by unidentified masterminds and participants in a crime under their discretion.

Thus, participants in a crime have stolen funds of the Bank in the amount of 499 995 968,00 rubles, which they or third persons used under their own discretion.

Afterwards, on 29.07.2015 i.e. the next day after loan issuance, partners in the crime – head of department for corporate finances Alekseev N.V. and general director of OOO "NewHowTrade" Kravchenko O.V. in order to conceal committed embezzlement of funds of the Bank in an especially large amount and to give a veneer of legality to executed fictitious transaction concluded settlement agreement dated 29.07.2015, according to which liabilities of OOO "NewHowTrade" under Agreement about terms of medium term loan dated 28.07.2015 № 137-810/15u were terminated and as a performer of liabilities to repay loan funds, Bank accepted right of claim to controlled by participants in a crime OOO "Sunris", which did not perform any actual business and economic activities.

Also within the period preceding 22.06.2015 in Moscow while continuing implementing criminal intention directed to the embezzlement of funds of the Bank in an especially large amount participant in a crime – vice-president for finances – deputy chairman of management board of the Bank Lomov A.V., acting on behalf of the Bank under power of attorney № 92/5

dated 09.02.2015 given by chairman of management board of the Bank Zheleznyak A.D., according to which management of the Bank delegated to him authorities to conclude loan agreements and management of funds of the Bank, namely management functions of administrative and business nature to manage entrusted with him funds of the Bank, acting with intention and in cooperation with other participants in a crime signed on behalf of the Bank knowingly unenforceable Agreement regarding terms of medium term loan dated 22.06.2015 № 099-810/15u with controlled by unidentified participants in a crime ООО "Tsentr trgovli" represented by general director of the company Shpagina L.B., according to which the Bank was obliged to provide to mentioned company knowingly irreparable loan as part of opened credit lines with maximum amount of debt limit in the amount of 1 000 000 000 rubles.

With this, Shpagina L.B., contributing to crime commitment by providing information and eliminating obstructions for its commitment realized that the company, which she was the head of, did not perform any business and economic activities, the purpose of the loan was knowingly false and receipt of the loan was a way of embezzlement of funds from the Bank for financial gain, signed on behalf of the company abovementioned Agreement about the terms of medium term loan dated 22.06.2015 № 099-810/15u.

23.06.2015 for the purposes of abovementioned Agreement according to the request form provided on behalf of Shpagina L.B., with bank transfer orders № 1020125374 dated 23.06.2015 funds in the amount of 698 200 000 rubles were transferred from the correspondent account of the Bank 30101810600000000986, opened with operating division of GU Bank of Russia at CFO of Moscow, located at the following address: Moscow, Balchug str., 2 to the operating account of ООО «Tsentr trgovli» № 40702810400000207965, opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1.

23.06.2015 after funds were credited to the operating account of ООО "Tsentr trgovli" Shpagina L.B. continued to fulfill her role in crime commitment contributing to its commitment by providing information and eliminating obstructions transferred funds received as a loan from the Bank:

- by bank transfer order № 94 dated 23.06.2015 to the operating account of controlled by participants in a crime false enterprise ООО "ProhmaTrade" № 40702810000000207844 opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1, in the amount of 698 200 000 rubles.

23.06.2015 after stolen from the Bank funds were credited to the operating account of ООО "ProhmaTrade" unidentified participants in a crime having access to account management of abovementioned company continuing with intended actions directed to the embezzlement of funds in an especially large amount transferred these funds from operating account of ООО "ProhmaTrade":

- by bank transfer order № 85 dated 23.06.2015 to the operating account of controlled by participants in a crime ООО "PK Technologies" № 40702810200110035573 opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1, in the amount of 698 200 000,00 rubles.

Afterwards, on 23.06.2015, i.e. the same day, after transfer of funds of the Bank to the operating account of ООО "PK Technologies" unidentified participants in a crime having access to the account management continuing with intended actions directed to the embezzlement of funds in an especially large amount transferred funds from operating account of ООО "PK Technologies":

- by bank transfer orders № 124 dated 23.06.2015 to the operating account of controlled by participants in a crime ООО "Collection agency "Life", the head of which was partner in a crime Kalachev S.V., № 40702810300110117621, opened with the Bank, located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 698 200 000,00 rubles.

Thus, funds stolen from the Bank in the pretense of issuance of knowingly irreparable loan in the amount of 698 200 000,0 rubles accumulated at the operating account of controlled

by participants in a crime ООО "Collection agency "Life", the head of which was a partner in crime Kalachev S.V.

Afterwards, on 24.06.2015, after stolen from the Bank funds were credited to the operating account of ООО "Collection agency "Life", general director of mentioned company Kalachev S.V. contributing to crime commitment by providing information and eliminating obstructions realizing criminality of his actions continuing to fulfill according to his role instructions of unidentified persons, which were directed to the embezzlement of funds of the Bank in an especially large amount, transferred funds stolen from the Bank among other funds:

- by bank transfer orders №№ 1114, 1115, 1116 dated 23.06.2015 to the operating account of controlled by participants in a crime company-non-resident Vermenda Holdings Limited № 40807810900010030608 opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1 in the amount of 700 000 000,00 rubles.

On 25.06.2015 after stolen from the Bank funds were credited to the operating account of controlled by participants in a crime company-non-resident Vermenda Holdings Limited unidentified persons, having access to account management of abovementioned company non-resident, which continued fulfilling according to their role instructions of unidentified persons directed to the embezzlement of funds of the Bank in an especially large amount exchanged stolen from the Bank funds in the amount of 698 200 000,00 rubles among other funds in the amount of 702 969 800,00 rubles to US dollars, which were simultaneously credited to the currency account of company non-resident Vermenda Holdings Limited № 40807840200010030608, opened with the Bank located at the following address: Moscow, Petrovka str., 18/2, bld.1, in the amount of 13 000 000,00 US dollars.

After that funds stolen from the Bank in the amount of 698 200 000,00 rubles and exchanged into US dollars were transferred by unidentified participants in a crime from the currency account of company non-resident Vermenda Holdings Limited № 40807840200010030608 opened with the Bank:

- by bank transfer order № 281 dated 25.06.2015 to the currency account of controlled by participants in a crime company non-resident Vermenda Holdings Limited № LV63KBRB1111215921001 opened with credit institution non-resident Trasta Komerbanka Riga (Republic of Latvia), located at the following address: Palasta iela 1, Riga LV-1050, Latvija in the amount of 13 000 000,00 US dollars.

Afterwards, funds stolen from the Bank in the amount of 698 200 000,00 rubles among other funds exchanged to US dollars were obtained cash or transferred to unidentified accounts with unidentified banking and other institutions, of unidentified individuals and legal entities and were used by unidentified masterminds and participants in a crime under their discretion.

Thus, participants in a crime have stolen funds of the Bank in the amount of 698 200 000,00 rubles, which they or third persons used under their own discretion.

On 03.08.2015 partners in the crime – head of department for corporate finances Alekseev N.V. and general director of ООО "Tsentr trgovli" Shpagina L.B. in order to conceal committed embezzlement of funds of the Bank in an especially large amount and to give a veneer of legality to executed fictitious transaction concluded settlement agreement dated 03.08.2015, according to which liabilities of ООО "Tsentr trgovli" under Agreement about terms of medium term loan dated 22.06.2015 № 099-810/15u were terminated and as a performer of liabilities to repay loan funds, Bank accepted right of claim to controlled by participants in a crime ООО "ProgrmaTrade", which did not perform any actual business and economic activities.

Thus, from the period from September 2014 to July 2015 in Moscow via performed by participants in a crime intended actions be means of embezzlement and misappropriation funds in the amount of 2 443 195 968,00 (two billion four hundred and forty three million one hundred

and ninety five thousand nine hundred and sixty eight) rubles, i.e. in an especially large amount were stolen from the Bank.

12.08.2015 due to failure of the Bank to comply with federal laws governing banking activities as well as regulatory acts of the Bank of Russia, values of all own funds (capital) adequacy ratios below 2 percent, decrease of the amount of own funds (capital) set at the date of state registration of credit institution, by order of the Bank of Russia dated 12.08.2015 № OD-2071 from 12.08.2015 banking license of the Bank was revoked.

On 28.10.2015 by judgement of Arbitration court of Moscow in a case № A40-154909/15 dated 28.10.2015 Bank was recognized as insolvent (bankrupt), functions of bankrupt manager were assigned to the State corporation "Deposit insurance agency", which according to art. 189.78 of the Federal law "About insolvency (bankruptcy)" dated 26.10.2002 № 127-FZ performs authorities of management bodies of the Bank.

Reasons to initiate criminal case are crime report submitted by the first deputy general director of State corporation "Deposit insurance agency" dated 14.01.2016 № 1-1/153 and report of crime submitted by Chairman of the Bank of Russia dated 01.10.2015 № 01-33-3/8573 registered in registration journal of reports of crimes of the Main investigative department of Investigative Committee of the Russian Federation under number № 201pr-184/15 dated 02.11.2015, as well as report of committed crime received from other sources – report about discovery of elements of crime of FSB Russia dated 18.01.2016, registered in registration journal of reports of crime of the Main investigative department of Investigative committee of the Russian Federation under number № 201pr-7/16 dated 22.01.2016.

Grounds to initiate criminal proceedings is availability in materials of performed procedural audit of sufficient information pointing out to the elements of crime set out in part 4 art. 160 of the Penal Code of the Russian Federation, received in the course of audit performance.

On the grounds of abovementioned, guided by art. 38, 140, 145, 146 (147), 151 of the Criminal Procedural code of the Russian Federation,

RESOLVED:

1. To initiate criminal proceedings for a criminal offense under part 4 art. 160 of the Penal Code of the Russian Federation:
 - to initiate criminal proceedings against Kazantsev Vyacheslav Viktorovich, born on 13.08.1966, a native of Biisk, Altay region; Lomov Aleksandr Vladimirovich, born on 17.08.1967, native of Moscow; Alekseev Nikolay Viktorovich, born on 09.05.1969, native of stl. Kupanskoe, Pereslavl'skiy rayon Yaroslavl region for elements of crime set out in part 4 art. 160 of the Penal Code of the Russian Federation;
 - to initiate criminal proceedings against krylova Marina Mikhailovna, born on 17.03.1973, native of Moscow; Kalachev Sergey Vasilievich, born on 09.06.1960, native of Novosibirsk, Novosibirsk region; Polikarpov Igor Petrovich, born on 18.05.1949, native of stl. Providence bay, Magadan region; Simakov Aleksey Vladimirovich, born on 28.03.1988, native of Moscow; Danukin Andrey Vyacheslavovich, born on 09.02.1977, native of Magnitogorsk, Chelyabinsk region; Shpagina Lyudmila Borisovna, born on 23.05.1957, native of Moscow; Kravchenko Oksana Viktorovna, born on 28.01.1974, native of Balkhash, Zhezkazgan region of KazSSR for elements of crime set out in part 5 art. 33, part 4 art 160 of Penal code of the Russian Federation;
 - to initiate criminal proceedings against other unidentified owners, executives (top managers) and employees of OAO AKB "Probusinessbank" and Financial group "Life" as well as other unidentified persons for elements of crime set out in part 4 art. 160 and part 3, 5 art. 33, part 4 art. 160 of the Penal code of the Russian Federation.
2. To commence criminal proceedings and to initiate investigation.

3. To assign case number № 11602007703000015.
4. To inform of taken decision interested persons – persons, against which criminal proceedings were instituted as well as first deputy general director of State corporation “Deposit insurance agency” and Chairman of the Bank of Russia.
5. To send copy of this order to the deputy of General Prosecutor of the Russian Federation.

Senior investigator for especially important cases
of the Main investigative department
of Investigative Committee of the Russian Federation

colonel of justice

S.A. Novikov